

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

GREAT NORTHERN INSURANCE COMPANY as subrogee of JON and ABBY WINKELREID, Plaintiff,	)	CIVIL ACTION
	)	NO. 05-10165 RGS
	)	
v.	)	
FERGUSON & SHAMAMIAN ARCHITECTS, LLP, and	)	<b>NOTICE OF MOTION OF ADMISSION OF COUNSEL <i>PRO HAC VICE</i></b>
W.B. MARDEN, COMPANY, Defendants.	)	
	)	<b>JURY TRIAL DEMANDED</b>

**PLEASE TAKE NOTICE**, that upon the annexed Affidavits of James P. Cullen, Jr., Esquire, and Joseph F. Rich, Esquire, sworn to the \_\_\_\_th of January, 2006, the Affirmation of Patrick J. Loftus, III, Esquire, sworn to the \_\_\_\_ of February, 2006 and all pleadings and proceedings heretofore and herein, the undersigned will move the Court on submission or as soon thereafter as counsel may be heard for an Order of the Court granting Plaintiff's Motion to admit James P. Cullen, Jr., Esquire and Joseph F. Rich, Esquire, members in good standing of the Bar of the Commonwealth of Pennsylvania, to appear and act as counsel in the above-captioned case *pro hac vice* pursuant to the General Rules of the United States District Court for the District of Massachusetts, and for other and further relief as this Court deems just and equitable and in furtherance of the ends of justice.

Respectfully submitted,

BY:   
 PATRICK J. LOFTUS, III, ESQUIRE  
 BBO# 303310  
 9 Park Street, Suite 500  
 Boston, MA 02108  
 Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

GREAT NORTHERN INSURANCE COMPANY	)	CIVIL ACTION
as subrogee of JON and ABBY WINKELREID,	)	
Plaintiff,	)	NO. 05-10165 RGS
	)	
v.	)	
	)	
FERGUSON & SHAMAMIAN ARCHITECTS,	)	<b>ORDER</b>
LLP,	)	
and	)	
	)	
W.B. MARDEN, COMPANY,	)	<b>JURY TRIAL DEMANDED</b>
Defendants.	)	
	)	

**THIS MATTER** comes before the Court upon the motion to permit James P. Cullen, Jr., Esquire and Joseph F. Rich, Esquire, members in good standing of the Bar of the Commonwealth of Pennsylvania, to conduct proceedings in the above entitled case *Pro Hac Vice*. As it appears from the motion, and any responses thereto, Mr. Cullen and Mr. Rich are duly admitted members, in good standing, of the Bar of the Commonwealth of Pennsylvania, and as good cause exists for the relief sought, and as the Movant has certified that Mr. Cullen and Mr. Rich are ready to proceed, such that the granting of this motion will not delay this action;

**IT IS ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, that James P. Cullen, Jr., Esquire and Joseph F. Rich, Esquire be admitted to appear *Pro Hac Vice* in connection with the above entitled case.

BY THE COURT:

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J.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

GREAT NORTHERN INSURANCE COMPANY as subrogee of JON and ABBY WINKELREID, Plaintiff,	)	CIVIL ACTION
	)	NO. 05-10165 RGS
	)	
V.	)	
	)	
FERGUSON & SHAMAMIAN ARCHITECTS, LLP,	)	<b>AFFIDAVIT OF</b>
and	)	<b>JAMES P. CULLEN, JR., ESQ.</b>
	)	
W.B. MARDEN, COMPANY, Defendants.	)	<b>JURY TRIAL DEMANDED</b>
	)	

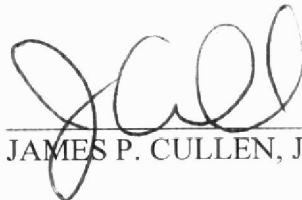
**I, JAMES P. CULLEN, JR., ESQUIRE**, being duly sworn, depose and say:

1. I am a resident of the State of New Jersey and a Senior Member of the law firm of Cozen O'Connor, located at 1900 Market Street, Philadelphia, Pennsylvania.
2. I am duly licensed and admitted to practice law by the Commonwealth of Pennsylvania, have an Attorney Identification No. 69745. [A copy of my Certificate of Good Standing is annexed hereto].
3. I am a member in good standing of the Bars of the Commonwealth of Pennsylvania, the State of New Jersey, and the United States District Courts for the Eastern District of Pennsylvania, Middle District of Pennsylvania, and District of New Jersey; I am also duly admitted to the United States Court of Appeals for the Third and Seventh Circuits.
4. There are no disciplinary proceeding or criminal charges instituted against me in the Commonwealth of Pennsylvania or any other state.
5. An established attorney-client relationship exists, and my client has specifically requested that I represent its interest in this matter.

6. The nature of this action involves legal and factual issues pertaining to property damage litigation. I have handled these types of cases in the past and have developed an expertise in these matters.

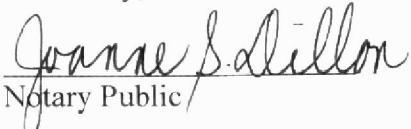
7. If the Court shall allow my Motion to Appear *pro hac vice* in the above-captioned matter, I will continue to represent my client in this proceeding until the final determination hereof and with reference to all matters, incidents, or proceedings, I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court and the Bar of the Commonwealth of Massachusetts in all respects, as if I were a regularly admitted and licensed member.

8. I am associated with Patrick J. Loftus, III, Esquire, an attorney who is duly and legally admitted to practice in the Commonwealth of Massachusetts, and upon whom service may be had in all matters connected with the above-captioned case and any disciplinary matter arising out of same, with the same effect as if personally made on me.

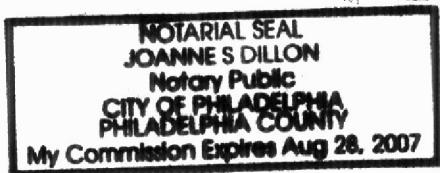


JAMES P. CULLEN, JR., ESQUIRE

Sworn to and subscribed  
before me this 30 day  
of January, 2006.



Notary Public



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

GREAT NORTHERN INSURANCE COMPANY as subrogee of JON and ABBY WINKELREID, Plaintiff,	)	CIVIL ACTION
	)	NO. 05-10165 RGS
	)	
v.	)	
	)	
FERGUSON & SHAMAMIAN ARCHITECTS, LLP, and	)	<b>AFFIDAVIT OF JOSEPH F. RICH, ESQUIRE <i>PRO HAC VICE</i></b>
	)	
W.B. MARDEN, COMPANY, Defendants.	)	<b>JURY TRIAL DEMANDED</b>
	)	

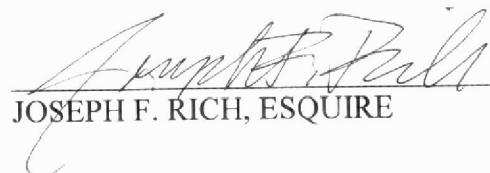
**I, JOSEPH F. RICH, ESQUIRE**, being duly sworn, depose and say:

1. I am a resident of the Commonwealth of Pennsylvania, a practicing attorney in Philadelphia, Pennsylvania and an associate at the law firm of Cozen O'Connor, located at 1900 Market Street, Philadelphia, Pennsylvania.
2. I am duly licensed and admitted to practice law by the Commonwealth of Pennsylvania, having Attorney Identification No. 92067. [A copy of my Certificate of Good Standing is annexed hereto].
3. I am a member in good standing of the Bars of the Commonwealth of Pennsylvania, the State of New Jersey, the District of Columbia, and the United States District Court for the Eastern District of Pennsylvania.
4. I have never been held in contempt of court, censured, suspended or disbarred by any court.
5. An established attorney-client relationship exists between Plaintiff and my firm, and my client has requested that I assist in representing its interests in this matter.

6. The nature of this action involves complex legal and factual issues pertaining to property damage litigation. I have handled these types of cases in the past and have developed an expertise in these matters.

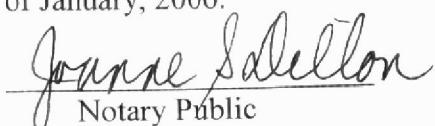
7. If the Court shall allow my Motion to Appear *Pro Hac Vice* in the above-captioned matter, I will continue to represent my client in this proceeding until the final determination hereof and with reference to all matters, incidents, or proceedings, I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court and the Bar of the Commonwealth of Massachusetts in all respects, as if I were regularly admitted and a licensed member.

8. I am associated with Patrick J. Loftus, III, Esquire, an attorney who is duly and legally admitted to practice in the Commonwealth of Massachusetts, and upon whom service may be had in all matters connected with the above-captioned case and any disciplinary matter arising out of same, with the same effect as if personally made on me.

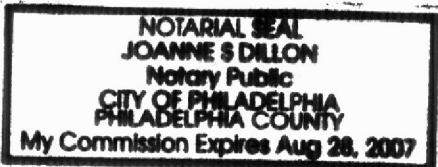


JOSEPH F. RICH, ESQUIRE

Sworn to and subscribed  
before me this 30 day  
of January, 2006.



Notary Public





Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***James P. Cullen, Jr., Esq.***

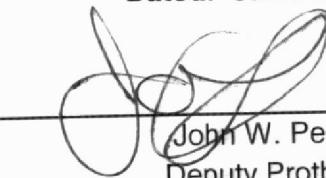
**DATE OF ADMISSION**

***December 8, 1993***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**  
**Dated: January 23, 2006**

  
John W. Person Jr.  
Deputy Prothonotary



## Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Joseph Frank Rich, Esq.***

**DATE OF ADMISSION**

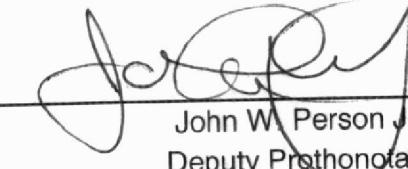
***December 9, 2003***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: January 23, 2006**

  
John W. Person, Jr.  
Deputy Prothonotary